

### III. REMARKS

Claims 1, 4-6, 8-10, 14-17 and 20 remain pending in this application. Claim 1 has been amended. Applicants do not acquiesce in the correctness of the rejections and reserve the right to present specific arguments regarding any rejected claims not specifically addressed. Further, Applicants reserve the right to pursue the full scope of the subject matter of the original claims in a subsequent patent application that claims priority to the instant application. Reconsideration in view of the following remarks is respectfully requested.

Applicants have amended claim 1 for grammatical purposes only. No new matter has been added.

In the Office Action, claims 1, 4-6, 8, and 10 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shaffer et al. (U.S. Pat. No. 6,239,881) in view of Hoffman, Jr. et. al. (U.S. Pat. No. 6,122,657), and further in view of Shimura et al. (U.S. Publ. No. 2004/0105689). Claims 9, 14-17, and 20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Shaffer et al. in view of Hoffman. Applicants submit that the claimed invention is allowable for the reasons that follow.

With respect to independent claim 1, Applicants submit that Shaffer in view of Hoffman and further in view of Shimura fail to teach or suggest each and every feature of the claim. For example, Shaffer in view of the other cited references fails to teach, *inter alia*, “comparing a **junk fax image** stored in a junk fax database to an incoming facsimile image.” See claim 1. (Emphasis added). In asserting that Shaffer allegedly teaches this feature, the Office points to Col. 4, line 4 – Col. 5, line 4 and Figures 2 and 5 of Shaffer. See Office Action, page 2. However, Applicants respectfully disagree. Shaffer teaches that “[u]pon receipt of a junk fax, the recipient can enter the station identifier provided on the fax and block future transmissions.”

See Col. 4, lines 28-30. In other words, Shaffer provides completely receiving and printing a fax and determining if it is a junk fax. If it is a junk fax, the recipient can then *manually enter* the station identifier of the sender into a database of unacceptable station identifiers in order to block all future transmissions with that particular station identifier. The station identifier of an incoming fax is compared to the database of unacceptable station identifiers. Shaffer teaches that a “station identifier is an identifier that ... [is] programmed into [the] telephone.” See Col. 3, lines 17-18. Therefore, the basis of comparison in Shaffer is who the incoming fax is coming from, i.e. the recipient (the station identifier). In sharp contrast, claim 1 discloses comparing the incoming facsimile image to a junk fax image in a junk fax database. The basis of comparison in claim 1 is the received image and the image in the database, not who is sending the fax. As such, Applicants contend that Shaffer fails to teach this feature of claim 1. With respect to similarly recited claims 9 and 17, for reasons that should be clear in view of the discussion of Shaffer above, Applicants assert that Shaffer also fails to teach this feature in these claims.

Moreover, Applicants contend that Hoffman and Shimura fail to overcome the deficiencies of Shaffer, discussed above. Therefore, Applicant respectfully request withdrawal of the rejections based on the combination of Shaffer, Hoffman, and Shimura.

With respect to dependent claims 4-6, 8, 10, 14-16, and 20, Applicants respectfully submit that these claims are allowable for reasons stated above relative to independent claims 1, 9, and 17, as well as for their own additional claimed subject matter. Accordingly, Applicants respectfully request that the Office withdraw the rejections under 35 U.S.C. § 103(a) to dependent claims 4-6, 8, 10, 14-16, and 20.

#### IV. CONCLUSION

In light of the above, Applicant respectfully submits that all claims are in condition for allowance. Should the Examiner require anything further to place the application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the number listed below.

Respectfully submitted,

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